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                           UNITED STATES DISTRICT COURT
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                         NORTHERN DISTRICT OF CALIFORNIA
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                                  SAN JOSE DIVISION
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    UNITED STATES OF AMERICA,
                                                 No. CR 11-00558 LHK
16
                       Plaintiff,
                                                 STIPULATION AND [PROPOSED]
                                                 ORDER EXCLUDING TIME
17
        v.
18
    MICHAEL LEON RUELAS and
    LORENZO ISRAEL GARCIA,
19
20
                       Defendants.
21
    UNITED STATES OF AMERICA,
                                                 No. CR 11-00559 EJD
22
                       Plaintiff,
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                 v.
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    LORENZO ISRAEL GARCIA,
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                       Defendant.
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11-00558 LHK) was set for November 16, 2011 before Judge Koh. His co-defendant, LORENZO ISRAEL GARCIA is set for December 7, 2011, also before Judge Koh. The remaining captioned cases are scheduled before Judges Jensen and Davila. The cases were all put over so that so that the discovery process could be commenced and defense counsel would have sufficient time to review the materials and confe with their clients. However, in order to comply with Local Rule 8-1, the cases must be consolidated to the same dates. Moreover, discovery is still not complete. The parties therefo	1	UNITED STATES OF AMERICA,	No. CR 11-00560 DLJ
MICHAEL LEON RUELAS, Defendant. No. CR 11-00706 DLJ No. CR 11-00706 DLJ MIGUEL ANGEL GONZALEZ and MICHAEL LEON RUELAS, Defendants. On November 3, 2011, the court ordered the above cases related pursuant to Criminal Local Rule 8-1. The first case, charging defendants MICHAEL LEON RUELAS (CI 11-00558 LHK) was set for November 16, 2011 before Judge Koh. His co-defendant, LORENZO ISRAEL GARCIA is set for December 7, 2011, also before Judge Koh. The remaining captioned cases are scheduled before Judges Jensen and Davila. The cases were all put over so that so that the discovery process could be commenced and defense counsel would have sufficient time to review the materials and confe with their clients. However, in order to comply with Local Rule 8-1, the cases must be consolidated to the same dates. Moreover, discovery is still not complete. The parties therefo hereby stipulate and agree to continue the matters until December 14, 2011, and to exclusions time under the Speedy Trial Act, and that said exclusions of time are appropriate based on the defendants' need for effective preparation of counsel. SO STIPULATED: MELINDA HAAG United States Attorney DATED: November 16, 2011 MICHAEL LEON RUELAS, No. CR 11-00706 DLJ MICHAEL LEON RUELAS, No. CR 11-00706 DLJ MICHAEL LEON RUELAS, On November 3, 2011, the court ordered the above cases related pursuant to cases related pu	2	Plaintiff,))
Defendant. Defendant. No. CR 11-00706 DLJ No. CR	3	v.))
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No. CR 11-00706 DLJ No. CR 11	5	Defendant.	
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25 26 SO STIPULATED: MELINDA HAAG United States Attorney 27 28 DATED: November 16, 2011 /s/ THOMAS M. O'CONNELL	23	time under the Speedy Trial Act, and that said exclusions of time are appropriate based on the	
SO STIPULATED: MELINDA HAAG United States Attorney DATED: November 16, 2011 /s/ THOMAS M. O'CONNELL	24	defendants' need for effective preparation of counsel.	
United States Attorney DATED: November 16, 2011 S/ THOMAS M. O'CONNELL	25		
27 DATED: November 16, 2011 /s/	26		
THOMAS M. O'CONNELL	27		Omea states Attorney
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1 2	DATED: November 16, 2011	
3 4	DATED: November 16, 2011	/s/_ LARA VINNARD Counsel for Ruelas
5 6	DATED: November 16, 2011	JACK GORDON Counsel for Gonzalez
7		Counsel for Conzurez
8	Accordingly, for good cause	shown, the Court HEREBY ORDERS that the
9	above cases are continued until December 14, 2011. The Court further finds that based on the	
10	defendant's need for effective preparation of	f counsel, the ends of justice served by granting the
11	requested continuance outweigh the interest of the public and the defendant in a speedy trial.	
12	The failure to grant the requested continuance would deny defense counsel reasonable time	
13	necessary for effective preparation, taking into account the exercise of due diligence, and would	
14	result in a miscarriage of justice. The Court therefore concludes that this exclusion of time	
15	should be made under 18 U.S.C. §§ 3161(h)	(7)(B)(iv).
16		
17	SO ORDERED.	
18 19	DATED: 11/17/11	Lucy H. Koh
20	DATED	LJCY H. KUH United State District Judge
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